Remarks/Arguments

In the final Office Action dated December 8, 2010, it is noted that claims 1-15 are pending; that claims 1-15 stand rejected on the grounds of nonstatutory obviousness-type double patenting; and that claims 1-15 stand rejected under 35 U.S.C. §103.

Cited Art

The following references have been cited and applied against the claims in the present Office Action: U.S. Patent 6,556,576 to Du, et al. (hereinafter "*Du I*"); U.S. Patent 7,457,298 to Du et al. (hereinafter "*Du II*"); U.S. Patent 6,816,502 to Ekl, et al. (hereinafter "*Ekl*"); U.S. Patent 6,259,898 to Lewis (hereinafter "*Lewis*"); U.S. Patent No. 6,665,520 to Romans (hereinafter "*Romans*"); U.S. Patent No. 6,018,642 to Adachi (hereinafter "Adachi"); and "Applicant's Admitted Prior Art" allegedly identified in the present Office Action as being from page 12, lines 2-10 of the specification (hereinafter referenced as "*APA*").

Rejection of Claims 1-2, 5-6, and 9-15 under 35 U.S.C. §103

Claims 1-2, 5-6, and 9-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ekl in view of Lewis and in further view of the Romans. This rejection is respectfully traversed.

Claims 5, 9, and 11 include at least a substantially similar feature to the feature the feature of: "signaling the switching operation and unavailability of the bridge terminal by means of a power saving signals of the communication network," recited in independent claim 1. Although each independent claim must be interpreted by its own specific language, in view of this similarity the following remarks will be focused on claim 1 and will be understood to also pertain to independent claims 5, 9, and 11 without further repetition.

On page 8 of the Office action, it is stated that Lewis allegedly discloses the feature cited above by asserting that the access point (19) broadcasts a beacon signal that indicates the availability of the access point. However, on page 9 of the Office action, it is stated that the Elk and Lewis disclose all the subject matter of the claimed invention with the exception of the feature of signaling the switching operation. Thus, it

is admitted that Lewis lacks of any teaching of this claimed feature. Regardless of this inconsistency with regard to Lewis, it is respectfully submitted that neither Lewis nor Romans show, teach or even suggest "signaling the switching operation" as claimed by the Applicant.

As argued at length in the response to the final Office action dated September 1, 2009, Lewis clearly teaches a registration process to an access point (AP) that includes primary and secondary transceivers (36a, 36b) and a processor (30). The primary transceiver (36a) periodically broadcasts a beacon to indicate whether the registration is possible. A mobile terminal (21) desiring to register will receive such beacon and respond in a conventional manner. Lewis further describes that the primary transceiver (36a) reaches a predefined limit to the number of registered mobile terminals, the processor (30) instructs the transceiver (36a) to modify the beacon such that registrations are not possible. In its place, the processor (30) causes the transceiver (36b) to broadcast a periodic beacon to indicate registration availability in order that mobile terminals may register via the secondary transceiver (36b). *See Lewis at col. 6 lines 48-58.*

Therefore, the process of modifying the beacon and/or the modified beacon itself clearly cannot be interpreted as the claimed feature of signaling the switching operation and the unavailability of the bridge terminal by means of a power saving signal of the communication network. The beacon is not a power saving signal of the communication network, but rather a signal generated by the access point to indicate whether a registration request can be accepted from mobile networks. In addition, the beacon indicates that only one transceiver is not available for registration, but at the same time the other transceiver can accept registration requests from mobile terminals. That is, the access point is always available to all mobile terminals in the network. In direct contrast, the bridge terminal, recited in the claims, is available only either to a first subnet or a second subnet at a time. Therefore, the beacon, as disclosed by Lewis, does not signal the switching operation between subsets and further does not signal the unavailability for the first subnet when operating in the second subnet, as claimed by the Applicant.

Romans is cited in the Office action as allegedly showing the claimed signaling operation. Romans appears to teach a control point in a wireless network that transmits control point beacons (CPBs). A control point beacon includes a wakeup flag that indicates whether a station in the network should remain in an active mode or return to a low power (sleep) mode. If data is waiting to be transmitted to the station by the control point, then the wakeup flag is cleared and the station wakes up to receive the data. The station goes back to sleep when it has not received or sent any unicast data messages for a specified time, and the last CPB it received did not have its wake-up flag set. *See Romans Col. 2 lines 38-53*

That is, Romans teaches a power management method to reduce the power consumption of stations in the network. According to Romans, a CPB signals to stations that they should be ready for reception of data, and does not signal if the control point is available or unavailable to a station. In fact, Romans states that the access point is always active and just the station can enter a sleep mode. Therefore, a station that wishes to send message wakes up and transmits the message to the control point.

In direct contrast, in the claimed invention, the bridge terminal signals its switching operation between the subsets. For example, if the bridge signals to the first subnet that it is unavailable, a device in the first subnet cannot send data through the bridge until the bridge signals becomes available again to the first subnet. Therefore, the CPB beacon of Romans and the power saving signal recited in the claims are used for two complete different purposes. Again, Romans CPB signals to stations whether or not they should stay in a sleep mode, whereas the claimed invention teaches a power saving signal for signaling the switching operation of the bridge terminal with respect to the first and second subents.

In light of these remarks, it is believed that independent claims 1, 5, 9, and 11 and the claims dependent thereon would not have been obvious to a person of ordinary skill in the art upon a reading of Ekl, Lewis, and Romans, either separately or in combination. Thus, it is submitted that claims 1-2, 5-6, and 9-15 are allowable under 35 U.S.C. §103. Withdrawal of this rejection is respectfully requested.

Rejection of Claims 3 and 7 under 35 U.S.C. §103

Claims 3 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ekl, Lewis, Romans and further in view of Adachi. This rejection is respectfully traversed.

Claim 3 depends directly from claim 1 and claim 7 depends directly from claim 5. The patentable distinctions between the independent claims and the combination of Ekl, Lewis, and Romans have been discussed above and will not be repeated herein. The added reference Adachi does not bridge the feature gap pointed out above with respect the claim 1. Thus, the combination of references fails to show or suggest each and every claimed feature. Furthermore, Applicant respectfully submits that claims 3 and 7 are allowable by virtue of their dependency, as well as the additional subject matter recited therein and not shown or even suggested in combination of references. Withdrawal of this rejection is respectfully requested.

Rejection of Claims 4 and 8 under 35 U.S.C. §103

Claims 4 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ekl, Lewis, and Romans further in view of APA. This rejection is respectfully traversed.

Claim 4 depends directly from claim 1 and claim 8 depends directly from claim 5. The patentable distinctions between the independent claims and the combination of Ekl, Lewis, and Romans have been discussed above and will not be repeated herein. Because of the dependency of claim 4 from claim 1 and claim 8 from claim 5, Applicants essentially repeat the remarks for claims 1 and 5 over Ekl, Lewis, and Romans for each of dependent claims 4 and 8.

The APA has been added to the combination of Ekl, Lewis and Romans because the latter references are said to lack any disclosure of the limitation that "a content of missed beacon signals is reported by the bridge terminal by means of a probe/probe signalling," as defined in claims 4 and 8. *See Office Action at page 19.* The added reference APA does not bridge the feature gap pointed out above with respect the claim 1. Thus, the combination of references fails to show or suggest each and every claimed feature. Furthermore, Applicant respectfully submits that claims 4 and 8 are allowable

by virtue of their dependency, as well as the additional subject matter recited therein and not shown or even suggested in combination of references. Withdrawal of this rejection is respectfully requested.

Double Patenting Rejection of Claims 1-15

Claims 1-15 stand rejected based on the judicially created doctrine of nonstatutory obviousness-type double patenting as being unpatentable over Du I in view of Lewis. Claims 1-15 stand rejected based on the judicially created doctrine of nonstatutory obviousness-type double patenting as being unpatentable over Du II in view of Lewis. Both of these rejections are respectfully traversed.

The patentable distinctions between the independent claims Romans and Lewis have been discussed above and will not be repeated herein. Applicants essentially repeat the remarks above for the independent claims Romans over Lewis.

Both Du I and Du II appear to be assigned in common to the assignee of the present application. The present Office Action notes the deficiencies in the teachings of Du I and Du II, which deficiencies Applicants neither acquiesce to nor agree with herein. Lewis and Romans were added to Du I and Du II to cure the noted deficiencies, especially with respect to "signaling the switching operation and the unavailability of the bridge terminal by means of a power saving signal of the communication network," as recited, for example, in claim 1. As already noted above, Lewis and Romans lack any teaching about using a power saving signal or about signaling the switching operation and unavailability of the bridge terminal. Thus, even if it were proper to combine Lewis, Romans and either of the Du patents, an assumption with which Applicants neither acquiesce nor agree, the resulting combination would still not teach, show, or suggest all the limitations of claim 1 and the other independent claims, whose limitations are similar to those discussed above for claim 1.

In light of these remarks and the patentable distinctions discussed above with respect to the independent claims, it is believed that claims 1-15 would not have been obvious to a person of ordinary skill in the art upon a reading of Du I, Du II, Romans and Lewis, either separately or in combination. Thus, it is submitted that claims 1-15 are

allowable under judicially created doctrine of nonstatutory obviousness-type double patenting. Withdrawal of these rejections is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

/Brian S. Myers/
By: Brian S. Myers
Registration No. 46,947
973-401-7157

Please direct all correspondence to:
IP Counsel
Philips Intellectual Property and Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001